

return the same to the said court to be recorded in perpetual memory.

30. The said commissioners before their meeting on such land, where all the parties concerned live in the county, or where they are not known, shall cause public notice of such meeting and the object thereof, to be set up in the most public places in the county, at least twenty days before such meeting, and where all the persons interested are known and any one of them lives out of the county, they shall cause such notice to be given by advertisement in some newspaper, forty days before such meeting, and shall return a certificate of having given such notice with the examination of the witnesses.

31. All examinations of witnesses taken by the said commissioners shall be as good and available as if taken according to the rules and practice of the courts of equity, notwithstanding any defect or want of form, or of filing or exhibiting a bill.

32. The said commissioners shall receive four dollars a day for their services in taking such depositions, and the witnesses attending upon their summons the sum of one dollar per day for each day they shall attend.

#### COMMISSIONS TO TAKE EVIDENCE FROM OTHER STATES.

33. Whenever any commission, or process in the nature of a commission to take testimony shall be issued by any court of any of the United States, or by any court of any district or Territory of the United States, directed to any person either by name or otherwise in this State, and any witness who shall have been duly notified so to do, shall fail to attend at the execution of such commission, or refuse to answer such question as may be propounded to him under such commission, any justice of the peace, upon affidavit or other sufficient proof of such failure to attend after notice, or refusal to answer, may issue an attachment in the name of the State, and compel the appearance and answer of such witness, in the same manner as any court in this State would be authorized to do if such witness had been summoned to appear before such court and had failed to attend or had refused to answer.

34. All witnesses summoned under such commissions shall be allowed the same pay for their attendance as is allowed for the